

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DONALD RAY GARDNER,

Defendant.

Case No. CR-20-70-BLG-SPW

ORDER

Upon the United States' Unopposed Motion to Dismiss counts V and VI of the second superseding indictment without Prejudice (Doc. 66), and for good cause being shown,

IT IS HEREBY ORDERED that counts V and VI of the second superseding indictment are **DISMISSED WITHOUT PREJUDICE**.

The Clerk of Court is directed to notify the parties of the making of this Order.

DATED this 12th day of October, 2021.



SUSAN P. WATTERS
U.S. DISTRICT COURT JUDGE